



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
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(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

REVISED

January 24, 2013

To: Human Resource Managers

From: Jim Adams, Assistant Chief Executive Officer
Benefits, Compensation Policy & Employee Relations

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

MILEAGE REIMBURSEMENT PROGRAM

Annually, the County provides to each mileage permittee, written notice that the County will provide vehicle damage reimbursement and third party auto liability protection, along with the necessary forms and instructions. Please distribute a copy of this memo to all mileage permittees in your department.

Mileage Rate

The 2009-13 fringe benefit agreements with County unions provide for the adjustment of mileage rates according to the movement in the IRS mileage rate. For 2013, the IRS increased the rate by one cent (1¢). Therefore, the County mileage reimbursement rate will be **53.0 cents for all miles driven.**

County Vehicle Damage Reimbursement and Third-Party Auto Liability Costs

County departments assume the following costs which result from mileage permittees' use of their vehicles:

1. **Damage Reimbursement for Permittee Vehicle:** The County will reimburse permittees for the costs to repair their vehicle and for other incidental expenses when their vehicle is damaged while driving on County business. The vehicle must be owned or leased by the permittee; otherwise, the damage will not be covered.
2. **Third Party Liability Costs:** The County will pay damages for personal injury or property loss incurred by a third party which arise from an accident caused by a permittee driving on County business, providing such liability does not

"To Enrich Lives Through Effective And Caring Service"

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Intra-County Correspondence Sent Electronically Only**

result from fraud, corruption, or actual malice on the part of the permittee. The County does not maintain commercial auto liability insurance – these costs are paid from each department’s operating budget.

Permittee’s Private Auto Liability Insurance

A permittee who is involved in an accident while driving on County business does not have to submit a claim to his or her private insurance company in order to receive the County benefits. However, the employee is responsible for complying with any and all duties, including accident reporting requirements, which are required under his or her private auto insurance policy.

Damage Reimbursement Component

Whenever a mileage permittee’s vehicle is damaged while driving on County business, the County will reimburse the permittee for the reasonable cost to repair the vehicle. The County will reimburse permittees for damage resulting from an accident (regardless of fault). Other types of covered damages include, but are not limited to, a broken window or slashed tires, or for expenses needed to clean or repair a vehicle resulting from the required transportation of other persons in the vehicle (such as when a Children’s Social Worker must transport a child in his or her vehicle, and the child causes damage to the vehicle). If the permittee’s vehicle is stolen while on County business, the County will reimburse the permittee for the fair market value of the vehicle.

Permittees are eligible for this coverage while driving on County business or parked while on County business, but are not covered while commuting to and from home to work. All persons receiving mileage reimbursement, including those designated as occasional drivers, are eligible for damage reimbursement. However, unlike regular permittees, occasional drivers are not covered for damage which occurs while parked at the permittee’s headquarter’s parking lot.

The County will reimburse a permittee for the actual cost of a rental car, not to exceed \$40.00 per day for up to 30 days for each day the employee is without his or her vehicle that was damaged and is covered by this program, and actual towing charges to move an inoperable vehicle, limited to 50 miles in towing. Also, the County will reimburse vehicle storage costs, not to exceed \$10.00 per day, for reasonable storage needs.

To obtain reimbursement for damage to his or her vehicle, a permittee must fill out and submit the attached form titled Claim for Damage to Personal Vehicle, (Attachment A), along with two estimates of repair costs and a copy of permittee’s mileage certification. Complete instructions for completing the form are included. If

the damage was the result of an accident, the employee must also complete the vehicle accident report form (Attachment E).

HOWEVER - Permittees **MAY NOT** claim or receive reimbursement from the County and also from his/her private auto liability policy, nor from any other source, including any third party who caused the accident, or that party's insurance company.

When requesting reimbursement by filling out Attachment A, a mileage permittee acknowledges that they are obligated to reimburse the County one hundred percent of any other payments received from another source for the same damages. If the reimbursement from another source is greater than the County reimbursement amount, the permittee must reimburse only the County reimbursement amount.

PERMITTEE ATTEMPTS TO OBTAIN COUNTY REIMBURSEMENT AS WELL AS REIMBURSEMENT FROM ANOTHER SOURCE MAY RESULT IN DISCIPLINARY ACTION.

Approved claims are paid by each department using the on-line CAPS system using the object code 5985.

Third Party Liability Costs

If a mileage permittee is involved in an accident where there is personal injury or damage to property (other than the permittee's own vehicle), the County will assume the resulting liability costs, with the exception of liability resulting from permittee fraud, corruption, or actual malice, or for certain other exceptions required by County Code Section 5.32.

The County contracts with a private firm, Carl Warren and Company (Carl Warren), to handle auto and other liability claims filed against the County. To ensure Carl Warren has the necessary information, all persons who drive on County business must be given the following documents when they are first certified to drive on County business. In addition, pursuant to the provisions of the Fringe Benefits MOUs, all current mileage permittees in your department must also be given these documents on an annual basis, even if they have been given such documents previously. Current permittees are to be given these forms as soon as possible to comply with these MOU provisions.

- Attachment B is a one-page instruction sheet that should be kept in the permittee's vehicle. This sheet describes the County's third-party auto liability coverage and provides instructions for the permittee to follow in the event of an accident.

- Attachment C is the County Evidence of Financial Responsibility, and must be kept in the permittee's vehicle. This document, rather than the permittee's notice of insurance issued by their private insurance, is to be shown to other parties in case of an accident. In addition, if the permittee's private insurance company requires proof that the permittee is covered by the County while driving on County business, this document can be used as the needed documentation.
- Attachment D is a form that departments may use to document that the permittee has received information concerning the County's Mileage Reimbursement Program, and the permittee's responsibilities in the event of a loss or accident. This form should be kept in the permittee's personnel file.
- Attachment E is the vehicle accident report form. This form must be completed within 3 business days after an accident, and submitted to the permittee's supervisor.

Providing Proof of Personal Auto Liability Insurance and Driver's License Information

The Auditor-Controller's fiscal manual has been revised to no longer require departments to have a mileage permittee provide proof of automobile insurance on an annual or other routine basis. However, should the permittee be involved in an accident or file a claim for reimbursement for damage to the permittee's vehicle, the permittee must provide the County with the name of the permittee's private insurance company and policy information.

Departments still need to verify annually that a permittee has a current, valid driver's license.

If you or your staff have any questions on this program, please contact the Employee Relations staff member designated to assist your Department.

JA:RA:rld

c: Auditor Controller

Attachments

Mileage Memo 2013

CLAIM FOR DAMAGE TO
PERSONAL VEHICLE

I. Employee Information

Name _____ Date _____

Payroll Title _____

Work Address _____ Work Telephone No. _____

Supervisor's Name _____ Supervisor's Telephone No. _____

Employee's Personal Auto Liability Insurance Company and Policy Number _____

II. Damage Information

Date Damaged Occurred _____

Year and Make of Vehicle _____ Odometer _____

Describe How Damage Occurred _____

III. Repair Estimates

Amount of Claim _____

Attach two (2) estimates from licensed automotive repair businesses of the cost to repair the damage to your vehicle.

IV. Certification and Assignment

By signing the form, I certify that the facts contained on this form are true and complete to the best of my knowledge and belief.

I agree to subrogate to the County any right which I may have for reimbursement from others. This includes, but is not limited to, any and all recoveries I may obtain from my own personal auto insurance company, or from any other responsible third party or their insurance company for the damage or destruction of the vehicle which is the subject to the claim, to the extent of the amount of the reimbursement paid to me by the County.

I understand if the lower of the two estimates exceeds the current fair market value of the vehicle the amount of reimbursement shall be calculated by subtracting \$5.00 and the salvage value of the vehicle from the current fair market value.

Employee Signature

Date

Approved

Date

Attachment A (Continued)

Damage to Employee (Permittee) Vehicle: Eligible Employees

Any mileage permittee (including a permittee designated as an occasional driver) is eligible for reimbursement for damage to his or her personally owned or leased vehicle when such damage occurs while the vehicle is being used in the performance of the permittee's duties as requested by the permittee's supervisor.

Effective January 1, 2001, a mileage permittee (permittee) is covered for damage which occurs while parked at the permittee's headquarters parking lot. **Employees designated as occasional drivers are not covered while parked in their headquarters' parking lot.** A vehicle includes an automobile, van, or pickup truck, but excludes motorcycles and "off road" sports vehicles.

Permittees may not claim damages and receive reimbursement from the County and also claim damages and receive reimbursement from another source, such as the permittee's private auto insurance company, a responsible third party or a third party's insurance company.

This means that employees must choose whether to claim reimbursement from the County, or from another source. They may not claim both.

Exclusions

Reimbursement under this provision is not allowed if the damage occurs:

- While the employee is commuting to or from work;
- While the employee is off duty;
- If the purpose of the trip is to undergo medical examination or treatment, to participate in a civil service examination, or to pursue employee relations matters on the employee's own behalf; or
- If the amount of damage is \$5.00 or less.

Procedures

To receive reimbursement, an eligible employee must:

- Report the incident to departmental management in a timely manner and complete and sign the Claim for Damage to Personal Vehicle form;
- Attach estimates from two licensed auto repair businesses for the reasonable cost of repairing the vehicle;
- Submit the form to his/her supervisor for processing within ten (10) business days from the date of damage to the vehicle. The employee should NOT send the form to Carl Warren. Doing so will only delay the reimbursement process. Failure to submit the form and required documentation within the specified time will result in a rejection of the claim and reimbursement for damages (County Code Section 5.85.050, A.); and
- Complete the *County of Los Angeles Report of Vehicle Collision or Incident form* and submit with the packet within three (3) business days if the damage was the result of an accident. Permittees may also claim the costs of rental car coverage (not to exceed \$40 per day for up to 30 days), necessary towing charges (not to exceed 50 miles in towing), and necessary storage costs (not to exceed \$10 per day).

**County Third-Party Auto Liability Protection:
Information and Instructions for Permittee Drivers**

If you are involved in an accident while driving on County business, the County will defend and indemnify you for any resulting damages to third parties. To be eligible for such liability protection, you must be driving in the course and scope of your County employment, and be designated as a mileage permittee (permittee) or occasional driver by your department.

PLEASE NOTE: This protection does not apply if you are involved in an accident while driving to and from work, or, if liability for damages to third parties results from fraud, corruption, or actual malice on the part of you, the permittee.

Permittees who qualify for this liability protection and who are involved in an automobile accident must comply with the following:

- Exchange insurance information with the other party or parties showing the County of Los Angeles: Evidence of Financial Responsibility form that has been provided to you by the County. **Do not admit to fault or liability, nor discuss the circumstances of the accident with anyone other than an investigating officer;**
- Within 24 hours of the accident, contact Carl Warren and Company, the County's claims administrator, at (818) 247-2206 to inform them of the incident. In addition, have your supervisor contact Carl Warren and Company to verify that you are an eligible permittee driving in the course and scope of your County employment;
- Within 3 business days of the accident, fill out the County of Los Angeles Report of Vehicle Collision or Incident and submit the completed form to your supervisor. Your department will have copies of this form; and
- Within 10 days, all permittee drivers involved in a vehicle accident are responsible for completing and filing the State SR-1 form for any accident involving damages of \$750.00 or over, and/or any injury to any party involved. Failure to file this form could affect a permittee's driver's license or registration renewal. Neither the County nor Carl Warren and Company can file the form on behalf of the permittee.

Note: The County's Auto Liability Protection does not relieve you of the State of California requirement to maintain auto liability insurance and proof of financial responsibility. Mileage permittees are expected to comply with all applicable state motor vehicle laws and regulations.

**COUNTY OF LOS ANGELES
EVIDENCE OF FINANCIAL RESPONSIBILITY**

This is to certify that the County of Los Angeles provides automobile liability protection which applies to the employee named below while driving in the course and scope of Los Angeles County employment.

| | | | |
|--|--|--------------|--|
| Employee Name: | | | |
| Employee Number: | | | |
| County Department/ Section: | | | |
| California Driver License Number: | | | |
| Automobile Make/Model: | | Year: | |

**In case of accident, contact:
Carl Warren and Company
Claims Management and Administration
P.O. Box 116
Glendale, California 91209
Phone: (818) 247-2206**

CERTIFICATION OF RECEIPT

This is to certify that I have read and received a copy of the document entitled, Information and Instructions for Permittee Drivers, and a copy of the County of Los Angeles: Evidence of Financial Responsibility. By signing this Certification, I also agree that:

- I will notify my supervisor of any change in my driver's license status which would preclude me from driving on County business (e.g. suspended, restricted, or revoked license).
- I am not allowed to claim or receive reimbursement for damages both from the County and also from my own private auto liability policy, nor from any other source, including any third party who caused the accident or that party's insurance company.
- In the event I receive reimbursement for damages from another source, including from my own personal auto insurance policy or from a third party or that party's insurance company, that I will return one hundred percent of any County reimbursement I received for the same damage.

MILEAGE PERMITTEE (Print Name)

MILEAGE PERMITTEE (Signature)

DATE

COUNTY OF LOS ANGELES REPORT OF VEHICLE COLLISION or INCIDENT
FATALITIES OR SERIOUS INJURIES MUST BE REPORTED IMMEDIATELY BY TELEPHONE TO CARL WARREN & CO. (818) 247-2206
 Prepared for County Council in defense of the County, Special Districts and Employees

VEHICLE DRIVEN BY EMPLOYEE (Check One)

| | | | |
|----------------------------------|--|--|--|
| Dept. Name: _____ Dept. #: _____ | <input type="checkbox"/> COUNTY VEHICLE (Includes Veh. Leased or rented by CO.) | <input type="checkbox"/> EMPLOYEE'S VEHICLE Insurance Co. _____ Policy No. _____ | CONTRACT CITES SERVICES <input type="checkbox"/> YES <input type="checkbox"/> No If yes, name of contract city _____ |
| DIV. or Facility: _____ | Equip. No. _____ | Permittee <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| SECTION: _____ | License No. _____ | | |
| IRMIS Code #: _____ | | | |

POLICE REPORT YES NO POLICE AGENCY REPORTING _____ STATION _____ REPORT # _____

INCIDENT DATE _____ CITY _____ ON _____ AT _____
 (Street or Highway)

HOUR _____ AM _____ PM _____ OR AREA _____

| | | |
|--|---|---|
| O T H E R D R I V E R (1) | DRIVER: _____ Job Title _____ Driver's Lic. No. _____ | |
| | Address: Home _____ Phone _____ | |
| | Work Location _____ Phone _____ Ext. _____ | |
| | VEHICLE: Year _____ Make _____ Model or Type _____ Lic. No. _____ | |
| | Parts Damaged _____ | |
| | PASSENGER: CO. Employee? <input type="checkbox"/> Yes <input type="checkbox"/> No | PASSENGER: CO. Employee? <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | Name _____ | Name _____ |
| | Home Address: _____ | Home Address: _____ |
| | Phone: Work _____ Home _____ | Phone: Work _____ Home _____ |

| | | | |
|--|--|---|---|
| O T H E R D R I V E R (2) | DRIVER: _____ | | |
| | DRIVER'S LICENSE NO. _____ STATE _____ INSURANCE CO. _____ POLICY NO. _____ | | |
| | EMPLOYER _____ (Name of Person, Company, or Organization) (Address) (City) (State) (Zip Code) (Phone) | | |
| | VEHICLE: _____ Vch. Lic. No. _____ (Year) (Make) (Model or Type) (Year) (Number) (State) | | |
| | PARTS DAMAGED _____ | | |
| | REGISTERED OWNER _____ (Name) (Address) (City) (State) (Zip Code) (Phone) | | |
| | | PASSENGER: CO. Employee? <input type="checkbox"/> Yes <input type="checkbox"/> No | PASSENGER: CO. Employee? <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | Name _____ | Name _____ |
| | | Home Address: _____ | Home Address: _____ |
| | | Phone: Work _____ Home _____ | Phone: Work _____ Home _____ |

| | | | |
|--|--|---|---|
| O T H E R D R I V E R (3) | DRIVER: _____ | | |
| | DRIVER'S LICENSE NO. _____ STATE _____ INSURANCE CO. _____ POLICY NO. _____ | | |
| | EMPLOYER _____ (Name of Person, Company, or Organization) (Address) (City) (State) (Zip Code) (Phone) | | |
| | VEHICLE: _____ Vch. Lic. No. _____ (Year) (Make) (Model or Type) (Year) (Number) (State) | | |
| | PARTS DAMAGED _____ | | |
| | REGISTERED OWNER _____ (Name) (Address) (City) (State) (Zip Code) (Phone) | | |
| | | PASSENGER: CO. Employee? <input type="checkbox"/> Yes <input type="checkbox"/> No | PASSENGER: CO. Employee? <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | Name _____ | Name _____ |
| | | Home Address: _____ | Home Address: _____ |
| | | Phone: Work _____ Home _____ | Phone: Work _____ Home _____ |

| | |
|--|--|
| I N J U R E D A N D O R W I T N E S S E S | Check One: <input type="checkbox"/> INJURED <input type="checkbox"/> WITNESS <input type="checkbox"/> FATALITY |
| | NAME _____ PHONE _____ NATURE OF INJURY _____ ADDRESS _____ TAKEN TO _____ |
| I N J U R E D A N D O R W I T N E S S E S | Check One: <input type="checkbox"/> INJURED <input type="checkbox"/> WITNESS <input type="checkbox"/> FATALITY |
| | NAME _____ PHONE _____ NATURE OF INJURY _____ ADDRESS _____ TAKEN TO _____ |
| I N J U R E D A N D O R W I T N E S S E S | Check One: <input type="checkbox"/> INJURED <input type="checkbox"/> WITNESS <input type="checkbox"/> FATALITY |
| | NAME _____ PHONE _____ NATURE OF INJURY _____ ADDRESS _____ TAKEN TO _____ |
| I N J U R E D A N D O R W I T N E S S E S | Check One: <input type="checkbox"/> INJURED <input type="checkbox"/> WITNESS <input type="checkbox"/> FATALITY |
| | NAME _____ PHONE _____ NATURE OF INJURY _____ ADDRESS _____ TAKEN TO _____ |

Attachment E (Continued)

INSTRUCTIONS: Complete form within 24 hours of vehicle collision and submit to your supervisor.
If more space is needed to completely answer any category on this form, attach an additional sheet.



INDICATE
NORTH

DRAW A DIAGRAM AND SHOW HOW COLLISION OCCURRED
Show your Vehicle as [1] the other Vehicles as [2], [3], etc.

SHOW the location and position of Vehicle(s) at point of impact
SHOW the name of the street(s) and location of stop signs, signals.
STATE number of lanes and length of skid marks.

Co. Vehicles
Involved _____

EXPLAIN CLEARLY HOW COLLISION OCCURRED. USE ADDITIONAL SHEETS IF NECESSARY (IF SHERIFF'S DEPT., STATE IF MDT RELATED?)

DISTRIBUTION:

Department procedure for distribution to be followed; copies must be forwarded to the following:

ORIG. & 1 COPY: CARL WARRANT & CO., P.O. Box 116, Glendale, CA 91209-0116
(Not applicable for Road and Flood Control Vehicles)

(9) WEATHER

- ___ Clear
- ___ Rain
- ___ Fog
- ___ Dusty
- ___ Snow
- ___ Heavy Smog
- ___ Other

(11) EVASION ACTION

- By Co. Driver
- ___ Locked Brakes
- ___ Hard Brakes
- ___ Slowed/Stopped
- ___ Steered Away
- ___ Accelerated
- ___ None
- ___ Other

(1) LOCALITY

- ___ Rural-Hwy/Roadway
- ___ Residential
- ___ Business/Shopping
- ___ Freeway
- ___ Motor Way (Mtn.)
- ___ Open Field
- ___ Private Road
- ___ Other

(3) MOVEMENT

- [1] [2]
- ___ Straight Ahead
 - ___ Lane Change
 - ___ Making Right Turn
 - ___ Making Left Turn
 - ___ Standing
 - ___ Parked
 - ___ Backing
 - ___ Rolling Back
 - ___ Moving Unattended

(5) AMOUNT OF TRAFFIC

- ___ No Other
- ___ Light
- ___ Medium
- ___ Heavy-Flowing
- ___ Congested

(7) ROAD SURFACE

- ___ Concrete
- ___ Asphalt
- ___ Oiled/Gravel
- ___ Unpaved
- ___ Other

(10) ROAD CONDITION

- ___ Dry
- ___ Wet
- ___ Muddy
- ___ Snowy or Icy

(12) SAFETY BELTS

- ___ Installed, Not Worn
- ___ Installed and Worn
- ___ Not Installed
- ___ Vehicle Unoccupied

(2) OPERATING AREA

- ___ Non-Intersection
- ___ Nearing Intersection
- ___ In Intersection
- ___ Leaving Intersection
- ___ Entering Driveway
- ___ Leaving Driveway
- ___ Construction Zone
- ___ Parking/Bus. Lot
- ___ Other

(4) TRAFFIC CONTROLS

- ___ None Present
- ___ Green Signal
- ___ Yellow Signal
- ___ Red Signal
- ___ Flashing Signal
- ___ Stop Sign
- ___ Warning Sign
- ___ Construction Sign
- ___ Other

(6) TERRAIN

- ___ Level
- ___ Upgrade
- ___ Downgrade
- ___ Hill Crest
- ___ Dip

(8) VISIBILITY

- ___ Good
- ___ Fair
- ___ Poor
- ___ Very Poor

(13) EMERGENCY RESPONSE

(Applies to Vehicle driven by employee)

Were red lights and sirens activated? [] Yes [] No

County Driver's Item No. _____ Employee No. _____ Age _____

Total Yrs. Driving _____ Total Yrs. Driving For Co. _____ Total Yrs. this type of Vehicle _____

SIGNATURE OF EMPLOYEE

DATE

SIGNATURE OF SUPERVISOR

DATE

SIGNATURE OF DEPT. HEAD OR AUTH. REPRESENTATIVE

DATE